

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

Case No. 09-CR-57

**DANIEL S. PARNELL,
Defendant.**

**ORDER FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION AND
APPOINTING EXPERT TO CONDUCT EXAMINATION**

On April 14, 2009, counsel for Daniel S. Parnell (“Parnell”) filed a motion pursuant to 18 U.S.C. § 4241 seeking a determination of Parnell’s competency to stand trial. (Docket No. 10.) Section 4241 provides that the court order a hearing to determine a defendant’s competency “if there is reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.” 18 U.S.C. § 4241(a).

On April 17, 2009, this court found that, pursuant to 18 U.S.C. § 4241(a), there is reasonable cause to believe the defendant may be presently suffering from a mental disease or defect rendering him mentally incompetent to the extent the defendant is unable to understand the nature and consequences of the proceedings against him or to properly assist in his defense. Pursuant to 18 U.S.C. § 4241(a) and (b) and 18 U.S.C. § 4247(b) and (c) the court ordered Pretrial Services to provide the court with the name of a qualified psychiatrist or psychologist who is available to conduct the competency examination of the defendant.

Having now been provided with this information, the court hereby appoints **Dr. Sheryl Dolezal, Psy.D.**, to conduct the examination pursuant to 18 U.S.C. § 4247(b), at government expense.

- The examination shall occur at the United States Marshals facility at 517 E. Wisconsin Avenue, Milwaukee, Wisconsin, beginning at **9:00 AM on Thursday, April 30, 2009**.
- If a Writ of Habeas Corpus ad Prosequendum is necessary for the United States Marshals Service to transport the in-custody defendant to the examination, the government shall promptly submit an application for such a writ.
- Dr. Dolezal shall file a report with the court pursuant to § 4347(b) and (c) based on the examination which shall be conducted in a reasonable period not to exceed 30 days. See 18 U.S.C. § 4247(b).
- Upon completion of the psychiatric or psychological examination, a competency hearing will be scheduled and conducted to determine the mental competency of the defendant.
- The mental competency report should also include recommendations regarding whether pretrial release is appropriate for the defendant and, if the court finds pretrial release of the defendant to be appropriate, what, if any, special conditions of release should be imposed in light of any mental health needs the defendant may have.
- All further proceedings are hereby stayed in this case until a determination of the defendant's mental competency has been made.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 23rd day of April 2009.

s/AARON E. GOODSTEIN
U.S. Magistrate Judge